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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

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UNITED STATES OF AMERICA,

) **Case No. CR-05-00324-MMC**

Plaintiff,

) **MOTION TO SEAL UNREDACTED  
VERSION OF PENALTY TRIAL  
MOTION 8: MOTION PROHIBITING  
THE GOVERNMENT FROM  
SEEKING THE DEATH PENALTY  
AGAINST MR. CYRUS AS PRIOR  
DOJ ADMINISTRATION  
IMPROPERLY DECIDED TO  
PROSECUTE THIS CASE AS A  
CAPITAL CASE  
AND OTHER THEREON**

vs.

RAYMON HILL, et al.,

Defendants.

) **Dept: Hon. Maxine M. Chesney**

TO: THIS HONORABLE COURT; AND TO UNITED STATES ATTORNEY'S

Dennis Cyrus, Jr., defendant in this action, moves this Court for an order sealing the

Unredacted Version of Penalty Trial Motion 8: Motion Prohibiting The Government from

Seeking the Death Penalty Against Mr. Cyrus as Prior DOJ Administration Improperly

Decided to Prosecute this Case as a Capital Case. The grounds for the motion are as

follows:

Motion to Seal Unredacted Version of Penalty Trial Motion 8: Motion Prohibiting the Government from Seeking the Death Penalty Against Mr. Cyrus as Prior DOJ Administration Improperly Decided to Prosecute this Case as a Capital Case

1       1. The content of the unredacted motion (names of attorneys) need not be  
2 made a matter of public court record, and the declaration of counsel supporting this motion  
3 provides ample factual basis for this Court to seal unredacted declaration.

4           2. This motion is based on this statement of the motion, and the supporting  
5 declaration of counsel.

6 | DATED: May 25, 2009

Respectfully submitted,

JAMES S. THOMSON  
JOHN T. PHILIPSBORN

By /s/ James S. Thomson  
Attorneys for Defendant  
DENNIS CYRUS, JR.

DATED: May 27, 2009

